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Attorneys for Plaintiff, MARIA LAZOS as an individual, and *THE ESTATE OF THOMAS BARRERA, By and Through its Successor in Interest, MARIA LAZOS*

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

MARIA LAZOS, *THE ESTATE OF THOMAS BARRERA, By and Through its Successor in Interest, MARIA LAZOS*) Case No. CV08-02987-RGK (SHx)
) (consolidated w/ CV 08-05153 RGK)

Plaintiff,

vs.

CITY OF OXNARD; OXNARD POLICE) **PLAINTIFFS OPPOSITION TO**
 DEPARTMENT; POLICE CHIEF JOHN) **DEFENDANTS' MOTION IN LIMINE**
 CROMBACH; ANDREW SALINA, and) **NO. 5 TO EXCLUDE EVIDENCE**
 DOES 1-10) **AND/OR REFERENCE TO FACT THAT**
) **OFFICER HAD ASSISTANCE OF**
) **COUNSEL PRIOR TO GIVING**
) **STATEMENT**

Defendants.

DATE: August 11, 2009
 TIME:
 DEPT: "850"

AND CONSOLIDATED ACTION

Plaintiffs, MARIA LAZOS, TOMAS BARRERA and *THE ESTATE OF THOMAS BARRERA BY AND THROUGH ITS SUCCESSORS IN INTEREST MARIA LAZOS and TOMAS BARRERA* do hereby submit their Opposition to Defendants' Motion in Limine seeking an Order prohibiting Plaintiffs from introducing Evidence or Making Argument that Salinas consulted with Counsel prior to Statement as follows:

There is a very technical term for Defendant's Motion...."Chutpah". Defendants oppose Plaintiffs' Limine to Exclude any expert evidence that Salinas was suffering from

1 PTSD or other emotional sequella to explain inconsistencies in Salinas many differing
2 statements. After refusing to agree to such an exclusion order, defendants seek their own
3 order requesting basically the same relief that they refuse to give to Plaintiff.

4 Therefore, should the court allow Defendants to present expert or other evidence to
5 explain why Salinas gave so many different accounts of the incidents, Plaintiffs respectfully
6 request permission to introduce evidence that Salinas acted with the assistance and aid of
7 counsel.

8 DATED: July 16, 2009

LAW OFFICES OF KIM D. SCOVIS

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11 JENNY SCOVIS

12 Attorneys for Plaintiff
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16 DATED: 7-16, 2009

LAW OFFICES OF GREGORY A. YATES

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19 GREGORY A. YATES

20 Attorneys for Plaintiff
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